

07/18/03  
17364 U.S. PTO

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Attorney Docket P0891C7

PATENT

17302 U.S. PTO  
10/623129  
07/18/03

EXPRESS MAIL LABEL NO. EV 351 927 976 US - DATE MAILED: July 18, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Stuart Bunting, Montara, California  
Ross Clark, Auckland, New Zealand  
Nancy Gillett, Reno, Nevada  
Hongkui Jin, San Bruno, California  
Renhui Yang, San Bruno, California

Title: **TREATMENT OF CONGESTIVE HEART FAILURE**

**1. Type of Application**

This application is for an original, non-provisional application.

This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.

This is a  continuation-in-part  continuation  divisional application claiming priority to application Serial Number 10/288,254, filed November 4, 2002 which is a continuation of application Serial Number 10/045,622, filed October 24, 2001, which is a continuation of application Serial Number 09/724,787, filed November 28, 2000, which is a continuation of Serial Number 09/550,736, filed April 17, 2000, which is a continuation of application Serial Number 09/302,924, filed April 30, 1999, which is a continuation of application Serial Number 08/228,548, filed April 15, 1994, now U.S. Pat. No. 5,935,924 the entire disclosures of which are hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)  
(Non-provisional )**

14 pages of specification  
1 pages of claims  
1 page(s) of abstract  
5 sheet(s) of drawings  
 formal  informal

**3. Declaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*

An executed declaration of the inventor(s)  is enclosed  will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)

A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

#### 4. Assignment

(for new and CIP applications)

An Assignment of the invention to GENENTECH, INC.  is enclosed with attached Recordation Form Cover Sheet  will follow.

(for cont./div.)

The prior application is assigned of record to Genentech, Inc.

#### 5. Amendments (for continuation and divisional applications)

Cancel in this application original claims  of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

#### 6. Payment of Fees

Applicants request deferral of payment of the filing fee until submission of the missing parts of application. **DO NOT CHARGE THE FILING FEE AT THIS TIME.**

#### 7. Additional Papers Enclosed

Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations

Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.

A new Power of Attorney or authorization of agent.

Other:

#### 8. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]

A petition, fee and/or response has been filed to extend the term in the pending prior application.

A copy of the petition for extension of time in the **prior** application is attached.

**9. Correspondence Address:**

X Address all future communications to:

Attn: Janet E. Hasak

Respectfully submitted,  
GENENTECH, INC.

Date: July 18, 2003

By: Janet E. Hasak  
Janet E. Hasak  
Reg. No. 28,616  
Telephone No. (650) 225-1896



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Patent Docket P0891C6

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  Stuart Bunting et al.  Serial No.: 10/288,254  Filed: 4 November 2002  For: TREATMENT OF CONGESTIVE HEART FAILURE	Group Art Unit: Unassigned  Examiner: Unassigned  July 17, 2003  Express Mail Label No. EV 351 927 962 US
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### **PETITION AND FEE FOR FIVE MONTH EXTENSION OF TIME** **(37 CFR 1.136(a))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants petition the Commissioner of Patents and Trademarks to extend the time for response to the Notice to File Missing Parts of Application dated December 19, 2002 for five months from February 19, 2003 to July 19, 2003. The extended time for response does not exceed the statutory period.

Please charge Deposit Account No. 07-0630 in the amount of \$1,970 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to this deposit account.

A duplicate of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

By:

Wendy Lee, Reg. No. 40,378 for  
Janet E. Hasak, Reg. No. 28,616  
Telephone No. (650) 225-1896



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